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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/743,647	01/12/2001	Menelas Pangalos	JAB1407US	6077

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EXAMINER	
MOORE, WILLIAM W	

ART UNIT	PAPER NUMBER
1656	

DATE MAILED: 02/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/743,647	PANGALOS ET AL.	
	Examiner	Art Unit	
	William W. Moore	1656	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 March 2006 and 24 August 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-48* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) _____ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☒ Claim(s) *1-48* are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Restrictions

Restriction is required under 35 U.S.C. §§ 121 and 372.

The following requirement for restriction is based on the claims as amended in the Preliminary Amendment filed 12 January 2001, which amendment has been entered.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1. In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group 1. Claims 1-4, 9, 18-23, and 26-28, drawn to four species of a first product, polynucleotides encoding at least four species of a human NAALAD-ase L polypeptide, one of which has the amino acid sequence set forth in SEQ ID NO:35, to their complementary polynucleotides and to compositions comprising the polynucleotides, to a first method of use of one of the four species of polynucleotides in making a product for treating medical condition, and to the product made by the method.

Group 2. Claims 5 and 6, drawn to a second product, a polynucleotide encoding a human NAALAD-ase II polypeptide having the amino acid sequence set forth in SEQ ID NO:48 and to the encoded polypeptide.

Group 3. Claims 7 and 8, drawn to a third product, a polynucleotide encoding a human NAALAD-ase IV polypeptide having the amino acid sequence set forth in SEQ ID NO:50 and to the encoded polypeptide.

Group 4. Claims 10-11, drawn to a fourth product, at least four species of human NAALAD-ase L polypeptides, one of which has the amino acid sequence set forth in SEQ ID NO:35.

Group 5. Claims 12-14, drawn to a fifth product, a human NAALAD-ase II polypeptide having the amino acid sequence set forth in SEQ ID NO:48.

Group 6. Claims 15-17, drawn to a sixth product, a human NAALAD-ase IV polypeptide having the amino acid sequence set forth in SEQ ID NO:50.

Group 7. Claims 24 and 25, drawn to a seventh product, a transgenic animal that comprises a polynucleotide encoding a human NAALAD-ase L polypeptide having the amino acid sequence set forth in SEQ ID NO:35, either present in a vector or not present in a vector.

Group 8. Claim 29, drawn in the alternative to a first method of use of the fourth product in an assay to detect a compound that enhances the hydrolytic activity of the fourth product.

Group 9. Claims 29, drawn in the alternative to a second method of use of the fourth product in an assay to detect a compound that inhibits the hydrolytic activity of the fourth product.

Group 10. Claims 31 and 33, drawn to an undisclosed eighth product, a generic compound detected by a method of use of the fourth product and a composition comprising same.

Group 11. Claim 32, drawn to a first method of use of the eighth product in a method for treating a medical condition.

Group 12. Claims 34-36, drawn in the alternative to second method of use of the first product, as comprised by a host cell, in an assay method to detect a compound that enhances expression of the encoded polypeptide.

Group 13. Claims 34-36, drawn in the alternative to second method of use of the first product, as comprised by a host cell, in an assay method to detect a compound that inhibits expression of the encoded polypeptide.

Group 14. Claims 38 and 40, drawn to an undisclosed ninth product, a generic compound detected by a method of use of the first product and a composition comprising same.

Group 15. Claim 39, drawn to a first method of use of the ninth product in a method for treating a medical condition.

Group 16. Claims 41, 43 and 44, drawn to a first method of use of a composition comprising SPA beads, a hydrolysable substrate and glycine buffer in quantifying a generic enzyme activity, wherein one species of enzyme has the amino acid sequence set forth in SEQ ID NO:35.

Group 17. Claim 42, drawn in the alternative to a second method of use of a composition comprising SPA beads, a hydrolysable substrate, and glycine buffer in an assay to detect a compound that enhances the activity of a generic enzyme.

Group 18. Claim 42, drawn in the alternative to a third method of use of a composition comprising SPA beads, a hydrolysable substrate, and glycine buffer in an assay to detect a compound that inhibits the activity of a generic enzyme.

Group 19. Claims 45-47, drawn to an undisclosed tenth product, a generic compound detected by a method of use of a composition comprising SPA beads, a hydrolysable substrate, and glycine buffer, and a composition comprising same.

Group 20. Claim 48, drawn to a first method of use of the tenth product in a method for treating a medical condition.

The inventions lack unity, each from the other, because of the following reasons:

Inventions of Groups 1 and 2 lack unity of invention because the special technical feature of a first product of Group 1 is its capacity to encode a polypeptide having an amino acid sequence of at least SEQ ID NO:35, the structure of which differs from the amino acid sequence of a polypeptide encoded by the product of Group 2, wherein the special technical feature of the second product of Group 2 is its capacity to encode a polypeptide having the amino acid sequence set forth in SEQ ID NO:48, thus the inventions of Groups 1 and 2 share no same or corresponding special technical feature.

Inventions of Groups 1 and 3 lack unity of invention because the special technical feature of a first product of Group 1 is its capacity to encode a polypeptide having an amino acid sequence of at least SEQ ID NO:35, the structure of which differs from the amino acid sequence of a polypeptide encoded by the product of Group 3, wherein the special technical feature of the third product of Group 3 is its capacity to encode a polypeptide having the amino acid sequence set forth in SEQ ID NO:50, thus the inventions of Groups 1 and 3 share no same or corresponding special technical feature.

Inventions of Group 1 and Groups 4-6 lack unity of invention because the special technical feature of a product of Group 1 is the structure of a nucleic acid sequence and the special technical feature of the inventions of Groups 4-6 is the structure of the amino acid sequence products of Groups 4-6, which are chemically unrelated polymers requiring a separate field of search, and no claim is stated that links the invention of Group 1 to any of the inventions of Groups 4-6 by a process of making or process of use, thus the invention of Group 1 shares no same or corresponding special technical feature with the inventions of Groups 4-6.

Inventions of Groups 1 and 7 lack unity of invention because the special technical feature of a product of Group 1 is the structure of a nucleic acid sequence that need not be conveyed by division of an initial cell into diverse cells and tissues of a multicellular organism and the special technical feature of the invention of Group 7 is the structure of a nucleic acid sequence that must be conveyed by division of an initial cell into diverse cells and tissues of a multicellular organism, which therefore requires a biochemically different structural environment for nucleic acid sequence although the coding capacity is the same, requiring a separate field of search, thus the invention of Group 1 shares no same or corresponding special technical feature with the invention of Group 7.

Inventions of Group 1 and Groups 12 and 13 lack unity of invention because the special technical feature of the first method of use product of Group 1 is the treatment of medical condition which requires administration of a polynucleotide to the tissues of an organism and the special technical feature of the invention of Group 12 is an assay method wherein a polynucleotide need only be conveyed to an isolated cell, requiring a separate field of search, thus the invention of Group 1 shares no same or corresponding special technical feature with the inventions of Groups 12 and 13.

Inventions of Group 1 and Groups 8-11 and 14-20 lack unity of invention because the special technical feature of the product of Group 1, a polynucleotide, is not disclosed to be utilized by any method of, or to be structurally related to any product of, the inventions of Groups 8-11 and 14-20, thus the invention of Group 1 shares no same or corresponding special technical feature with the inventions of Groups 8-11 and 14-20.

Inventions of Groups 2 and 3 lack unity of invention because the special technical feature of the second product of Group 2 is its capacity to encode a polypeptide having an amino acid sequence of at least SEQ ID NO:48, the structure of which differs from the amino acid sequence of a polypeptide encoded by the product of Group 3, wherein the special technical feature of the third product of Group 3 is its capacity to encode a polypeptide having the amino acid sequence set forth in SEQ ID NO:50, thus the inventions of Groups 2 and 3 share no same or corresponding special technical feature.

Inventions of Group 2 and Groups 4-20 lack unity of invention because the special technical feature of a product of Group 2, a polynucleotide, is not disclosed to be utilized by any method of, or to be structurally related to any product of, the inventions of Groups 4-20, thus the invention of Group 2 shares no same or corresponding special technical feature with the inventions of Groups 4-20.

Inventions of Group 3 and Groups 4-20 lack unity of invention because the special technical feature of a product of Group 3, a polynucleotide, is not disclosed to be utilized by any method of, or to be structurally related to any product of, the inventions of Groups 4-20, thus the invention of Group 2 shares no same or corresponding special technical feature with the inventions of Groups 4-20.

Inventions of Groups 4 and 5 lack unity of invention because the special technical feature of a product of Group 4 is the presence of an amino acid sequence of at least SEQ ID NO:35, the structure of which differs from the amino acid sequence of the product of Group 5, wherein the special technical feature is the presence of the amino acid sequence set forth in SEQ ID NO:48, thus the inventions of Groups 4 and 5 share no same or corresponding special technical feature.

Inventions of Groups 4 and 6 lack unity of invention because the special technical feature of a product of Group 4 is the presence of an amino acid sequence of at least SEQ ID NO:35, the structure of which differs from the amino acid sequence of the product of Group 5, wherein the special technical feature is the presence of the amino acid sequence set forth in SEQ ID NO:50, thus the inventions of Groups 4 and 6 share no same or corresponding special technical feature.

Inventions of Groups 4 and 8 lack unity of invention because the product of Group 4 may be used in substantially different method than the method of detecting enhancers of Group 8, such as a method of detecting inhibitors of Group 9, thus the invention of Group 4 shares no same or corresponding technical feature that is special with the invention of Group 8.

Inventions of Groups 4 and 9 lack unity of invention because the product of Group 4 may be used in substantially different method than the method of detecting inhibitors of Group 9, such as a method of detecting enhancers of Group 8, thus the invention of Group 4 shares no same or corresponding technical feature that is special with the invention of Group 9.

Inventions of Group 4 and Groups 7 and 10-20 lack unity of invention because the special technical feature of a product of Group 4, a polypeptide, is not disclosed to be utilized by any method of, or to be structurally related to any product or composition of, the inventions of Groups 7 and 10-20, thus the invention of Group 4 shares no same or corresponding special technical feature with the inventions of Groups 7 and 10-20.

Inventions of Groups 5 and 6 lack unity of invention because the special technical feature of a product of Group 5 is the presence of the amino acid sequence of SEQ ID NO:48, the structure of which differs from the amino acid sequence of the product of Group 5, wherein the special technical feature is the presence of the amino acid sequence set forth in SEQ ID NO:50, thus the inventions of Groups 5 and 6 share no same or corresponding special technical feature.

Inventions of Group 5 and Groups 7-20 lack unity of invention because the special technical feature of a product of Group 5, a polypeptide, is not disclosed to be utilized by any method of, or to be structurally related to any product or composition of, the inventions of Groups 7-20, thus the invention of Group 5 shares no same or corresponding special technical feature with the inventions of Groups 7-20.

Inventions of Group 6 and Groups 7-20 lack unity of invention because the special technical feature of a product of Group 6, a polypeptide, is not disclosed to be utilized by any method of, or to be structurally related to any product or composition of, the inventions of Groups 7-20, thus the invention of Group 6 shares no same or corresponding special technical feature with the inventions of Groups 7-20.

Inventions of Group 7 and Groups 8-20 lack unity of invention because the special technical feature of a product of Group 6, a transgenic animal, is not disclosed to be utilized by any method of, or to be structurally related to any product or composition of, the inventions of Groups 8-20, thus the invention of Group 7 shares no same or corresponding special technical feature with the inventions of Groups 8-20.

Inventions of Groups 8 and 9 lack unity of invention because the invention of Group 8 is an assay method that requires the detection of a result, enhancement of activity, that is contrary to the method of the invention of Group 9, that instead requires the detection of a different result, inhibition of activity, thus the invention of Group 8 shares no same or corresponding special technical feature with the invention of Group 9.

Inventions of Group 8 and Groups 10-20 lack unity of invention because no technical feature of the method of Group 8 is disclosed to be essential to the structure of the undisclosed compound of Group 10 or related to any method of, or to be related to detection or production of any compound or composition of, the inventions of Groups 11-20, thus the invention of Group 8 shares no same or corresponding special technical feature with the inventions of Groups 10-20.

Inventions of Group 9 and Groups 10-20 lack unity of invention because no technical feature of the method of Group 9 is disclosed to be essential to the structure of the undisclosed compound of Group 10 or related to any method of, or to be related to detection or production of any compound or composition of, the inventions of Groups 11-20, thus the invention of Group 9 shares no same or corresponding special technical feature with the inventions of Groups 10-20.

Inventions Groups 10 and 11 lack unity of invention because there is disclosure of any technical feature, special or otherwise, of the compound of Group 10, thus the method of treatment with a generic compound of Group 11 is not shown to be related to any compound and the invention of Group 10 shares no same or corresponding technical feature that is special with the invention of Group 11.

Inventions of Group 10 and Groups 12-20 lack unity of invention because there is disclosure of any technical feature, special or otherwise, of the compound of Group 10 thus the undisclosed compound of Group 10 is not shown to be related to any method of, or to be related to detection or production of any compound or composition of, the inventions of Groups 12-20, thus the invention of Group 10 shares no same or corresponding special technical feature with the inventions of Groups 12-20.

Inventions of Group 11 and Groups 12-20 lack unity of invention because there is disclosure of any technical feature, special or otherwise, of the method of Group 11 thus the method of use of a generic compound of Group 11 is not shown to be related to any method of, or to be related to detection or production of any compound or composition of, the inventions of Groups 12-20, thus the invention of Group 11 shares no same or corresponding special technical feature with the inventions of Groups 12-20.

Inventions of Groups 12 and 13 lack unity of invention because the invention of Group 12 is an assay method that requires the detection of a result, enhancement of expression of a final product, that is contrary to the method of the invention of Group 13, that instead requires the detection of a different result, inhibition of expression of a final product, thus the invention of Group 12 shares no same or corresponding special technical feature with the invention of Group 13.

Inventions of Group 12 and Groups 14-20 lack unity of invention because no technical feature of the method of Group 12 is disclosed to be essential to the structure of the undisclosed compound of Group 14 or related to any method of, or to be related

to detection or production of any compound or composition of, the inventions of Groups 15-20, thus the invention of Group 12 shares no same or corresponding special technical feature with the inventions of Groups 14-20.

Inventions of Group 13 and Groups 14-20 lack unity of invention because no technical feature of the method of Group 13 is disclosed to be essential to the structure of the undisclosed compound of Group 14 or related to any method of, or to be related to detection or production of any compound or composition of, the inventions of Groups 15-20, thus the invention of Group 13 shares no same or corresponding special technical feature with the inventions of Groups 14-20.

Inventions of Group 14 and Groups 15-20 lack unity of invention because there is disclosure of any technical feature, special or otherwise, of the compound of Group 14 thus the undisclosed compound of Group 14 is not shown to be related to any method of, or to be related to detection or production of any compound or composition of, the inventions of Groups 15-20, thus the invention of Group 14 shares no same or corresponding special technical feature with the inventions of Groups 15-20.

Inventions of Group 15 and Groups 16-20 lack unity of invention because there is disclosure of any technical feature, special or otherwise, of the method of Group 15 thus the method of use of a generic compound of Group 15 is not shown to be related to any method of, or to be related to detection or production of any compound or composition of, the inventions of Groups 16-20, thus the invention of Group 15 shares no same or corresponding special technical feature with the inventions of Groups 16-20.

Inventions of Groups 16 and 17 lack unity of invention because the invention of Group 16 is an assay requiring detection of no particular result, and does not measure an enhancement of activity in response to a candidate compound, which is the special technical feature of the method of Group 17, thus the invention of Group 16 shares no same or corresponding special technical feature with the invention of Group 17.

Inventions of Groups 16 and 18 lack unity of invention because the invention of Group 16 is an assay requiring detection of no particular result, and does not measure an inhibition of activity in response to a candidate compound, which is the special technical feature of the method of Group 18, thus the invention of Group 16 shares no same or corresponding special technical feature with the invention of Group 18.

Inventions of Groups 17 and 18 lack unity of invention because the invention of Group 17 is an assay requiring the detection of a result, enhancement of activity, that is contrary to the method of the invention of Group 18, that instead requires detection of a different result, inhibition of activity, thus the invention of Group 17 shares no same or corresponding special technical feature with the invention of Group 18.

Inventions of Group 16 and Groups 19 and 20 lack unity of invention because there is disclosure of any technical feature, special or otherwise, of the compound of Group 19 to be used in the method of Group 20 thus the undisclosed compound of Group 19 and its use in a method of claim 20 are not shown to be related to the method of Group 16 and the invention of Group 16 shares no same or corresponding special technical feature with the inventions of Groups 19 and 20.

Inventions of Group 17 and Groups 19 and 20 lack unity of invention because there is disclosure of any technical feature, special or otherwise, of the compound of Group 19 to be used in the method of Group 20, thus the undisclosed compound of Group 19 and its use in a method of claim 20 are not shown to be related to the method of Group 17 and the invention of Group 17 shares no same or corresponding special technical feature with the inventions of Groups 19 and 20.

Inventions of Group 18 and Groups 19 and 20 lack unity of invention because there is disclosure of any technical feature, special or otherwise, of the compound of Group 19 to be used in the method of Group 20 thus the undisclosed compound of Group 19 and its use in a method of claim 20 are not shown to be related to the method of Group 18 and the invention of Group 18 shares no same or corresponding special technical feature with the inventions of Groups 19 and 20.

Inventions Groups 19 and 20 lack unity of invention because there is disclosure of any technical feature, special or otherwise, of the method of Group 19, thus the method of treatment with a generic compound of Group 20 is not shown to be related to any compound and the invention of Group 19 shares no same or corresponding technical feature that is special with the invention of Group 20.

This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

In Group 1, there are at least four species of polynucleotides encoding a set of NAALAD-ase L polypeptides, one of which is identifiable as SEQ ID NO:35, where

the other encoded products have no readily identifiable sequence identifiers for the integral polypeptides in the specification.

In Group 4, there are at least four species of NAALAD-ase L polypeptides, one of which is identifiable as SEQ ID NO:35, where the other polypeptides have no readily identifiable sequence identifiers for the integral polypeptides in the specification

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

The claims are deemed to correspond to the species listed above in the following manner:

The following claim(s) are generic: Claims 10 1-4, 18-23, and 26-28 of Group 1 are generic to at least four species of polynucleotides encoding a set of NAALAD-ase L polypeptides. Claims 10-12 of Group 2 are generic to at least four species of NAALAD-ase L polypeptides.

The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: The lack of any clear comparison of SEQ ID NO:35 with the integral amino acid sequences of "splice variants" recited in claim 3 does not support the determination of same or corresponding special technical features.

Should Applicant elect either the invention of Group 1 or the invention of Group 4, Applicant must further elect a species within the elected Group, identify the integral sequence of any other disclosed polynucleotide or polypeptide species that Applicant might requests to be examined with the elected species and further identify those sequence characteristics shared by both that constitute same or corresponding special technical feature and facilitate a unitary search.

Notice of Requirements for Rejoinder

The examiner has required restriction between product and process claims. Where applicant elects claims directed to a particular product, and a product claim is subsequently found allowable, withdrawn process claims that depend from or otherwise

include all the limitations of the allowable product claim will be rejoined in accordance with the provisions of MPEP § 821.04. **Process claims that depend from or otherwise include all the limitations of the patentable product will be entered as a matter of right if the amendment is presented prior to final rejection or allowance, whichever is earlier.** Amendments submitted after final rejection are governed by 37 CFR 1.116; amendments submitted after allowance are governed by 37 CFR 1.312.

In the event of rejoinder, the requirement for restriction between the product claims and the rejoined process claims will be withdrawn, and the rejoined process claims will be fully examined for patentability in accordance with 37 CFR 1.104. Thus, to be allowable, the rejoined claims must meet all criteria for patentability including the requirements of 35 U.S.C. §§101, 102, 103, and 112. Until an elected product claim is found allowable, an otherwise proper restriction requirement between product claims and process claims may be maintained. Withdrawn process claims that are not commensurate in scope with an allowed product claim will not be rejoined. See "Guidance on Treatment of Product and Process Claims in light of *In re Ochiai, In re Brouwer* and 35 U.S.C. § 103(b)," 1184 O.G. 86 (March 26, 1996). Additionally, in order to retain the right to rejoinder in accordance with the above policy, Applicant is advised that the process claims should be amended during prosecution either to maintain dependency on the product claims or to otherwise include the limitations of the product claims. **Failure to do so may result in a loss of the right to rejoinder.**

Further, note that the prohibition against double patenting rejections of 35 U.S.C. §121 does not apply where the restriction requirement is withdrawn by the examiner before the patent issues. See MPEP § 804.01.

Conclusion

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William W. Moore whose telephone number is 571.272.0933 and whose FAX number is 571.273.0933. The examiner can normally be reached Monday through Friday between 9:00AM and 5:30PM EST. If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisory Primary Examiner, Dr. Kathleen Kerr, can be reached at 571.272.0931. The official FAX number for all communications for the organization where this application or proceeding is assigned is 571.273.8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571.272.1600.

William W. Moore
27 January 2006

/Nashed/
NASHAAT T. NASHED PHD.
PRIMARY EXAMINER